

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

NEW YORK STATE FIREARMS ASSOCIATION,

et al.,

Civil Action No. 23-CV-6524-FPG

*Plaintiffs,*

v.

STEVEN A. NIGRELLI, in his official capacity as  
Acting Superintendent of the New York State Police,

[PROPOSED]  
ORDER GRANTING PLAINTIFFS'  
MOTION FOR A TEMPORARY  
RESTRAINING ORDER

*Defendant.*

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Before the Court is a motion for a temporary restraining order filed by plaintiffs New York State Firearms Association, George Borrello, David DiPietro, William Ortman, and Aaron Dorr (collectively “Plaintiffs”).

Upon consideration of the motion, the briefing in support and opposition to the motion, and all other parts of the record, Plaintiffs’ motion for a temporary restraining order is **GRANTED**. The Court holds that Plaintiffs are likely to succeed on the merits; Plaintiffs will likely suffer irreparable harm without preliminary-injunctive relief; and granting a preliminary injunction is in the public interest.

It is therefore **ORDERED** that Defendant and his officers, agents, servants, employees, and all persons in concert or participation with them who receive notice of this temporary restraining order, are enjoined, effective immediately, from enforcing N.Y. PENAL §§ 400.02, 400.03 and N.Y. EXEC. § 228 as to ammunition background checks and charging any fees for the same.

It is **FURTHER ORDERED** that no bond shall be required in this matter and Plaintiffs shall not be required to post a bond in any amount.

So ordered this \_\_\_\_\_ day of \_\_\_\_\_, 2022

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HON. FRANK P. GERACI, JR.  
United States District Judge